



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

MINUTES OF THE COMMITTEE
ON
ELECTIONS

Thursday, December 1, 2016

10:30 a.m.

Room 308 House Office Building

The House Standing Committee on Elections was called to order by Representative Lisa Posthumus Lyons, Chair.

MEMBERS PRESENT: Representatives Lyons, Leutheuser, Nesbitt, Jacobsen, Kesto, Driskell, Irwin and Hoadley.

MEMBERS ABSENT: None.

Chair Lyons acknowledged the retirement of Clerk Malika Abdul-Basir and thanked her for her service and dedication to the committee.

Representative Nesbitt moved to adopt the minutes from the **Wednesday, November 30, 2016**, meeting. There being no objection, the motion prevailed by unanimous consent.

Chair Lyons laid **HB 6066, HB 6067** and **HB 6068** before the committee:

HB 6066 (Lyons)	Elections; voting procedures; photo identification for voting purposes; define, and modify provisional ballot process.
HB 6067 (Lyons)	Records; birth; fee waiver for search and issuance of certified copy of a live birth record or official statement indicating that the record cannot be located; provide for under certain circumstances.
HB 6068 (Lyons)	State; identification cards; fee waiver and procedure for issuance of state identification card as valid identification for voting purposes; modify under certain circumstances.

TESTIMONY

Eric Hufnagel, representing the Michigan Coalition Against Homelessness, testified in opposition to the bills and submitted written testimony. Questions and discussion followed.

Deb O'Hagan, representing herself as a citizen and as a precinct delegate, testified in support of the bills. Questions and discussion followed.

Chair Lyons laid the committee at ease, the time being 11:09 a.m.

Chair Lyons called the committee back to order, the time being 11:48 a.m.

The following people submitted a card in opposition to the bills, but did not wish to speak:

Nathan Triplett, representing Equality Michigan.

Judy Karandjeff, representing the League of Women Voters of Michigan.

Mark McWilliams, representing the Michigan Protection and Advocacy Services.

Michigan Developmental Disabilities Council.

Julie Rowe, representing AFT-MI.

Allan Wachendofer, representing the National Association of Social Workers – Michigan Chapter.

Chair Lyons laid the committee at ease, the time being 11:50 a.m.

Chair Lyons called the committee back to order, the time being 4:00 p.m.

Representative Leutheuser moved to adopt substitute (H-4) for HB 6066.

The motion prevailed by a vote of 8-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Lyons, Leutheuser, Nesbitt, Jacobsen, Kesto, Driskell, Irwin, Hoadley.

Nays: None.

Pass: None.

Representative Hoadley offered and moved to adopt the following amendments to HB 6066 (H-4):

1. Amend page 2, line 24, after "**PURPOSES**" by inserting a comma and "**EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (5)**".
2. Amend page 3, line 22, after "elector." by striking out "If" and inserting "**EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (5), IF**".
3. Amend page 4, following line 22, by inserting:
"(5) IF AN ELECTOR DOES NOT HAVE PHOTO IDENTIFICATION FOR VOTING PURPOSES AS REQUIRED UNDER THIS SECTION AND THAT ELECTOR IS UNABLE TO OBTAIN PHOTO IDENTIFICATION FOR VOTING PURPOSES IN A TIMELY MANNER TO VOTE, THAT INDIVIDUAL MAY SIGN AN AFFIDAVIT TO THAT EFFECT BEFORE AN ELECTION INSPECTOR AND BE ALLOWED TO VOTE AS OTHERWISE PROVIDED IN THIS ACT. HOWEVER, AN ELECTOR BEING ALLOWED TO VOTE WITHOUT PHOTO IDENTIFICATION FOR VOTING PURPOSES REQUIRED UNDER THIS SECTION IS SUBJECT TO CHALLENGE AS PROVIDED IN SECTION 727."
4. Amend page 6, line 19, after "and" by inserting a comma and "**EXCEPT AS OTHERWISE PROVIDED IN SECTION 523(5)**".
5. Amend page 7, line 20, after "or" by inserting a comma and "**EXCEPT AS OTHERWISE PROVIDED IN SECTION 523(5)**".
6. Amend page 12, line 15, after "includes" by striking out "**BOTH**".

7. Amend page 12, line 16, after "523(2)" by inserting a comma and "**THE NUMBER OF AFFIDAVITS SIGNED BY VOTERS UNDER SECTION 523(5),**".

8. Amend page 13, line 6, after "523(2)" by inserting a comma and "**THE NUMBER OF AFFIDAVITS SIGNED BY VOTERS UNDER SECTION 523(5),**".

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL:

Yeas: Reps. Driskell, Irwin, Hoadley.

Nays: Reps. Lyons, Leutheuser, Nesbitt, Jacobsen, Kesto.

Pass: None.

Representative Hoadley offered and moved to adopt the following amendments to HB 6066 (H-4):

1. Amend page 10, line 8, after "**JURISDICTION**" by inserting "**OR COUNTY CLERK**".
2. Amend page 10, line 10, after "**JURISDICTION**" by inserting "**OR A COUNTY CLERK**".
3. Amend page 10, line 20, after "clerk" by inserting "**OR COUNTY CLERK**".
4. Amend page 10, line 22, after "clerk" by inserting "**OR COUNTY CLERK**".
5. Amend page 11, line 9, after "**JURISDICTION**" by inserting "**OR COUNTY CLERK**".
6. Amend page 12, line 10, after "clerk" by inserting "**OR COUNTY CLERK**".

The motion did not prevail by a vote of 3-4-1.

UNFAVORABLE ROLL CALL:

Yeas: Reps. Driskell, Irwin, Hoadley.

Nays: Reps. Lyons, Nesbitt, Jacobsen, Kesto.

Pass: Rep. Leutheuser.

Representative Hoadley offered and moved to adopt the following amendments to HB 6066 (H-4):

1. Amend page 2, following line 14, by inserting:
"**(x) A DOCUMENT ISSUED BY THE SECRETARY OF STATE TO AN ELECTOR WHOSE DRIVER LICENSE WAS LOST, DESTROYED, OR MUTILATED OR BECOMES ILLEGIBLE AND THAT ELECTOR IS AWAITING A DUPLICATE LICENSE AS PROVIDED IN SECTION 812 OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.812.**

(xi) A DOCUMENT ISSUED BY THE SECRETARY OF STATE TO AN ELECTOR WHOSE OFFICIAL STATE PERSONAL IDENTIFICATION CARD WAS LOST, DESTROYED, OR MUTILATED OR BECOMES ILLEGIBLE AND THAT ELECTOR IS AWAITING A RENEWAL CARD AS PROVIDED IN SECTION 2 OF 1972 PA 222, MCL 28.292."

The motion did not prevail by a vote of 3-4-1.

UNFAVORABLE ROLL CALL:

Yeas: Reps. Driskell, Irwin, Hoadley.

Nays: Reps. Lyons, Nesbitt, Jacobsen, Kesto.

Pass: Rep. Leutheuser.

Representative Hoadley offered and moved to adopt the following amendment to HB 6066 (H-4):

1. Amend page 13, following line 27, by inserting:

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4724 of the 98th Legislature is enacted into law."

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL:

Yeas: Reps. Driskell, Irwin, Hoadley.

Nays: Reps. Lyons, Leutheuser, Nesbitt, Jacobsen, Kesto.

Pass: None.

Representative Hoadley offered and moved to adopt the following amendment to HB 6066 (H-4):

1. Amend page 13, following line 27, by inserting:

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4807 of the 98th Legislature is enacted into law."

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL:

Yeas: Reps. Driskell, Irwin, Hoadley.

Nays: Reps. Lyons, Leutheuser, Nesbitt, Jacobsen, Kesto.

Pass: None.

Representative Irwin offered and moved to adopt the following amendment to HB 6066 (H-4):

1. Amend page 2, line 12, after "A" by striking out "**CURRENT**".

The motion prevailed by a vote of 5-0-3.

FAVORABLE ROLL CALL:

Yeas: Reps. Lyons, Nesbitt, Driskell, Irwin, Hoadley.

Nays: None.

Pass: Reps. Leutheuser, Jacobsen, Kesto.

Representative Hoadley offered and moved to adopt the following amendment to HB 6066 (H-4):

1. Amend page 2, following line 13, by inserting:
"(x) A CONCEALED PISTOL LICENSE ISSUED UNDER 1927 PA 372, MCL 28.421 TO 28.435."

Representative Hoadley moved to withdraw his amendment. There being no objection, the motion prevailed by unanimous consent.

Representative Hoadley offered and moved to adopt the following amendment to HB 6066 (H-4):

1. Amend page 2, following line 14, by inserting:
"(x) A CURRENT MUNICIPALLY ISSUED LIBRARY CARD THAT HAS A PHOTO OF THE INDIVIDUAL ON IT."

The motion did not prevail by a vote of 3-4-1.

UNFAVORABLE ROLL CALL:

Yeas: Reps. Driskell, Irwin, Hoadley.

Nays: Reps. Lyons, Nesbitt, Jacobsen, Kesto.

Pass: Rep. Leutheuser.

Representative Irwin offered and moved to adopt the following amendments to HB 6066 (H-4):

1. Amend page 2, line 26, after "(4)" by inserting "**OR (5)**".
2. Amend page 3, line 25, after "(4)" by inserting "**OR (5)**".
3. Amend page 5, following line 7, by inserting:
"(5) AN ELECTOR WITH A DISABILITY RECOGNIZED UNDER THE AMERICAN WITH DISABILITIES ACT OF 1990, 42 USC 12101 TO 12213, AND WHO DOES NOT HAVE A PHOTO IDENTIFICATION FOR VOTING PURPOSES MAY SIGN AN AFFIDAVIT TO THAT EFFECT BEFORE AN ELECTION INSPECTOR AND BE ALLOWED TO VOTE AS OTHERWISE PROVIDED IN THIS ACT. HOWEVER, AN ELECTOR WHO IS ALLOWED TO VOTE WITHOUT PHOTO IDENTIFICATION FOR VOTING PURPOSES UNDER THIS SUBSECTION IS SUBJECT TO CHALLENGE AS PROVIDED IN SECTION 727."
4. Amend page 7, line 5, after "(4)" by inserting "**OR (5)**".
5. Amend page 8, line 6, after "(4)" by inserting "**OR (5)**".

The motion did not prevail by a vote of 3-2-3.

UNFAVORABLE ROLL CALL:

Yeas: Reps. Driskell, Irwin, Hoadley.

Nays: Reps. Nesbitt, Jacobsen.

Pass: Rep. Lyons, Leutheuser, Kesto.

Representative Lyons offered and moved to adopt the following amendment to HB 6066 (H-4):

1. Amend page 10, following line 15, by inserting:

"SEC. 523C. FOR THE 2016-2017 FISCAL YEAR, \$10,000,000.00 IS APPROPRIATED FROM THE GENERAL FUND TO THE DEPARTMENT OF STATE FOR ELECTION MODERNIZATIONS, VOTER EDUCATION, AND IMPLEMENTATION OF THE VOTER IDENTIFICATION PROVISIONS."

The motion prevailed by a vote of 5-0-3.

FAVORABLE ROLL CALL:

Yeas: Reps. Lyons, Leutheuser, Nesbitt, Jacobsen, Kesto.

Nays: None.

Pass: Reps Driskell, Irwin, Hoadley.

Representative Jacobson moved to report **HB 6066** with recommendation, as amended, as substitute (H-5).

The motion prevailed by a vote of **5-3-0**.

FAVORABLE ROLL CALL:

Yeas: Reps. Lyons, Leutheuser, Nesbitt, Jacobsen, Kesto.

Nays: Reps. Driskell, Irwin, Hoadley.

Pass: None.

Representative Nesbitt moved to report **HB 6067** with recommendation.

The motion prevailed by a vote of 8-0-0.

FAVORABLE ROLL CALL

Yeas: Representatives Lyons, Leutheuser, Nesbitt, Jacobsen, Kesto, Driskell, Irwin, Hoadley.

Nays: None.

Pass: None.

Representative Leutheuser moved to adopt substitute (H-2) for HB 6068.

The motion prevailed by a vote of 8-0-0.

FAVORABLE ROLL CALL

Yeas: Representatives Lyons, Leutheuser, Nesbitt, Jacobsen, Kesto, Driskell, Irwin, Hoadley.

Nays: None.

Pass: None.

Representative Kesto moved to report **HB 6068** with recommendation, as substitute (H-2).

The motion prevailed by a vote of 8-0-0.

FAVORABLE ROLL CALL

Yeas: Representatives Lyons, Leutheuser, Nesbitt, Jacobsen, Kesto, Driskell, Irwin, Hoadley.

Nays: None.

Pass: None.

There being no further business before the committee, the Chair adjourned the meeting at 4:23 p.m.

Representative Lisa Lyons, Chair
House Standing Committee on Elections
Melissa Weipert
Committee Clerk
517-373-7256